

known Floyd Lupton only through the descriptions and the information, the cold statistics, that have been furnished to us, but the gentleman from North Carolina (Mr. JONES) has given us a picture of a man who, through his service and his availability and his commitment to the public good, is well deserving of the tribute that we are bestowing upon him by naming this facility after him. I hope it will stand as an example for others to look at, the plaque that will be posted there, as a tribute to a man that they should remember as an example for all people to be committed to the kinds of ideals that he stood for.

Madam Speaker, I yield back the balance of my time.

Mr. DUNCAN. Madam Speaker, I yield myself such time as I may consume.

I want to thank our colleague the gentleman from North Carolina (Mr. JONES) for his very moving and heartfelt tribute to Mr. Floyd Lupton who obviously was a great American, and I am proud to be associated with this legislation. I, again, urge passage of H.R. 2326.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. GINNY BROWN-WAITE of Florida). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 2326.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. DUNCAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

NET WORTH AMENDMENT FOR CREDIT UNIONS ACT

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1042) to amend the Federal Credit Union Act to clarify the definition of net worth under certain circumstances for purposes of the prompt corrective action authority of the National Credit Union Administration Board, and for other purposes.

The Clerk read as follows:

H.R. 1042

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Net Worth Amendment For Credit Unions Act".

SEC. 2. CLARIFICATION OF DEFINITION OF NET WORTH UNDER CERTAIN CIRCUMSTANCES FOR PURPOSES OF PROMPT CORRECTIVE ACTION.

Subparagraph (A) of section 216(o)(2) of the Federal Credit Union Act (12 U.S.C. 1790d(o)(2)(A)) is amended—

(1) by inserting "the" before "retained earnings balance"; and

(2) by inserting "together with any amounts that were previously retained earnings of any other credit union with which the credit union has combined" before the semicolon at the end.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentleman from California (Mr. SHERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BACHUS).

GENERAL LEAVE

Mr. BACHUS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1042.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BACHUS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of this legislation, H.R. 1042, the Net Worth Amendment for Credit Unions Act, which I and the gentleman from Vermont (Mr. SANDERS), the ranking member, introduced along with 16 other cosponsors, evenly divided between Republicans and Democrats, including ranking members of both committees.

It is a so-called technical amendment, but it is also a very important piece of legislation designed to address the potentially harmful and unintended consequences of the recently proposed FASB accounting rules of mergers of financial institutions and, in particular, credit unions.

Because this new accounting rule is expected to become effective early next year, it will impact, going forward, credit union mergers, and it is essential that we have in place H.R. 1042 prior to that time. This legislation has been endorsed by FASB. It has the endorsement of the Federal credit union regulators.

I had testimony which I would like to introduce from NCUA chairman Joanne Johnson who testified before the Committee on Financial Services this past Thursday in strong support of this legislation. In fact, she said without this legislation, it would be hard to, in cases of mergers, provide the safest, most efficient and most beneficial mergers to the benefit of credit union consumers, and she says this legislation is essential for credit union consumers and for their protection.

It has no opposition that I know of. As far as explaining the rule, I am going to submit in its entirety two different pieces on actually what the issue is, what the solution is. The solution is 1042, and then I would like to introduce this two-page summary.

Let me briefly try to very briefly state what this does.

Under the current FASB rule, credit unions are able to use the pooling of in-

terests method of accounting for mergers; however, the new rule will require use of the purchase method.

In doing that, they did not anticipate the current definitions in the National Credit Union Act. Under the new approach that FASB will be instituting, an institution is not permitted to bring over the retained earnings of the acquired institution onto its own balance sheet as retained earnings, but rather as acquired equity. Thus, the surviving institution, the institution which is taking the other institution into its corporate being, would not be able to count the retained earnings of the merged institution in its net worth for purposes of prompt corrective action purposes under the Federal Credit Union Act.

□ 1500

And the Prompt Corrective Action, as those of us on Committee on Financial Services know, is the mechanism to bring credit unions into compliance as far as safety and soundness. This change, therefore, would have the unintended effect of lowering the merged credit union's net worth category classification.

We have taken testimony of Board members of FASB who say this was not their intent; and as I said, they are in favor of the current legislation. So the practical effect of FASB's directive changing the accounting treatment of credit union mergers from the pooling method to the purchase method are perhaps illustrated by a simple hypothetical.

Under the pooling method previously used to account for a combination of two credit unions, if a credit union with \$2 million in retained earnings merged with a credit union with \$2 million in retained earnings, the surviving credit union would have \$4 million in retained earnings, simply, two plus two equals four, which counted as its net worth for purposes of applying the Prompt Corrective Action capital requirements outlined above.

However, under the new purchase method of accounting mandated by the new FASB rule, if a credit union with \$2 million in retained earnings merges with another credit union with \$2 million in retained earnings, the surviving credit union would only have \$2 million in retained earnings, not a result that makes any sense, and our legislation simply preserves the two plus two equals four.

As I say, Madam Speaker, the legislation simply amends the Federal Credit Union Act's definition of net worth to include retained earnings of both credit unions that merge in the net worth of the credit union that continues after the transaction. Failure to make this statutory change will create major disincentives to otherwise merged credit unions.

We took testimony last week from George Reynolds, Senior Deputy Commissioner of the Georgia Department of Banking and Finance, and I would

like to include his statement, but what he and others have pointed out to the committee is that oftentimes, whether it be a bank or a thrift or a credit union, if you have one credit union that is sound and one that may be in need of corrective action, one of the alternatives is to merge the weaker institution into a stronger institution for the protection of the members of that credit union.

The NCUA, and also the different State commissioners of banking and bank supervisors, and credit union supervisors had not been able to do this because of the anticipation of the FASB rules. It has resulted in a lot of hesitancy in merging these institutions and, in many cases, is slowing corrective action because of this. So failure to make the statutory change will, as I say, create major disincentives.

A credit union seeking to merge with another union institution would be faced, in many situations, with a marked decline in its capital for PCA purposes once the merger went through, giving rise to a supervisory intervention by the NCUA designed to limit its growth and restore its now depleted capital to acceptable levels when actually there would have been no depletion of capital at all.

Madam Speaker, I reserve the balance of my time.

Mr. SHERMAN. Madam Speaker, I yield myself such time as I may consume, and I rise today to urge the House to suspend the rules and adopt H.R. 1042, the Net Worth Amendment For Credit Unions Act. I would like to commend my colleague, the gentleman from Alabama (Mr. BACHUS), the chairman of the Subcommittee on Financial Institutions and Consumer Credit, for bringing this issue before the Committee on Financial Services in a timely manner. I would also like to thank the ranking member, the gentleman from Vermont (Mr. SANDERS), and members of the committee who joined with Chairman Bachus and me in sponsoring this somewhat technical but important legislation.

H.R. 1042 addresses a potential problem for a growing number of credit unions that arises under the Basel II negotiations on international capital accounting standards. In 1996, the Financial Accounting Standards Board, known as FASB, and the International Accounting Standards Board, initiated a joint project to develop a single uniform standard for assessing the value of the assets and liabilities acquired in business mergers and acquisitions.

The effort resulted in the issuing of FASB statement 141 back in June of 2001. This statement required the use of the "purchase method" of accounting as the most appropriate standard for assuring that the assets of an acquired business will be uniformly measured at their fair market value at the time of acquisition.

Thus, FASB abolished the then very popular "pooling method" of accounting, which had been widely used to

measure the assets of surviving credit unions in credit union mergers. The pooling method had permitted the combining of the retained earnings of both the surviving and the merged credit unions to determine the net worth of the surviving credit union. Under the purchase method, which is now required under FASB 141, the retained earnings of the merged credit union must be listed as "acquired equity," a concept that did not exist at the time the Federal Credit Union Act was last amended on this issue.

Currently the Credit Union Act recognizes only retained earnings in calculating a credit union's net worth and its net worth ratio. Accounting procedures that fail to recognize that the retained earnings of the merged credit union would seriously reduce the postmerger net worth ratio of the surviving credit union. This could have the effect of discouraging a number of needed mergers between smaller or weaker credit unions with a healthy credit union, and it could result in terminations that the surviving credit union in the merger is technically undercapitalized, even when that surviving credit union has a large amount of capital. It is simply that some of that capital is listed as "acquired capital," or "acquired equity" a term that did not previously exist in our law, and some of it is listed as "retained earnings."

H.R. 1042 provides a narrow technical fix for the problem of postmerger accounting of credit union net worth. It amends the current definition of net worth for purposes of the Federal Credit Union Act to allow both retained earnings of a credit union and "any amounts that were previously retained earnings of any other credit union with which the credit union has combined" to be included in calculating a credit union's net worth and its net worth ratio.

Where the FASB 141 standard became effective for most business combinations initiated after June 30, 2001, FASB had agreed to defer the implementation for mergers and acquisitions among so-called mutual business enterprises, including credit unions, until the end of 2005. The National Credit Union Administration approved 330 mergers involving federally insured credit unions in 2004, many of which could have resulted in technically undercapitalized credit unions if FASB 141, imposing the purchase method, had been applicable. The Agency projects a similar number of mergers in 2006 that would be adversely affected unless we pass this legislation.

Madam Speaker, H.R. 1042 is bipartisan legislation which addresses a potential problem for credit unions that needs to be resolved this year, because next year FASB 141 will be applicable to mutual businesses, including credit unions. It is supported by the National Credit Union Administration, the National Association of State Credit Union Supervisors, and also by both

national credit union trade associations, the Credit Union National Association, CUNA, and the National Association of Federal Credit Unions, NAFCU.

I am aware of no opposition to this bill, and I urge the House to suspend the rules and adopt the Net Worth Amendment for Credit Unions Act.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BACHUS. Madam Speaker, I yield myself such time as I may consume, and let me simply conclude by saying that when the NCUA seeks a healthy credit union, or when there is a troubled credit union and the NCUA seeks a healthy credit union to rescue it through merger, the pooling of potential White Knights is presently limited because of the present interpretation. And as they have said, "They are limited by the prospect of a significant postmerger reduction in capital for the acquiring credit union under the present interpretation, if the FASB rule goes forward without this legislation." It goes on to say, NCUA, that "this will inevitably make NCUA-assisted mergers more difficult to execute, resulting in more credit union failures and a higher cost to the National Credit Union's Share Insurance Fund, which insures the deposits to credit union members."

So I conclude by saying that for this reason, among others, not only the NCUA but also the National Association of Federal Credit Unions, NAFCU, and the Credit Union National Association, CUNA, strongly support this legislation to ensure an accurate depiction of net worth in credit union mergers and to avoid creating unintended obstacles to mergers that would otherwise benefit credit union members.

In addition, FASB has stated that, while it does not take positions on public policy initiatives unless they could impair the mission and independence of FASB, it believes H.R. 1042, and I quote, "does not propose to establish or change general purpose standards of financial accounting and reporting and, therefore, has no impact on the standard-setting activities of FASB."

I would like to again thank, and I will name as I close, the cosponsors of this legislation: Introduced by the gentleman from Vermont (Mr. SANDERS), myself, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), the gentleman from Florida (Mr. FEENEY), the gentlewoman from Oregon (Ms. HOOLEY), the gentlewoman from New York (Mrs. KELLY), the gentlewoman from New York (Mrs. MALONEY), the gentleman from Kansas (Mr. MOORE), the gentleman from Texas (Mr. PAUL), the gentleman from California (Mr. ROYCE), the gentleman from California (Mr. SHERMAN), the gentleman from Michigan (Mr. CAMP), the gentleman from Illinois (Mr. GUTIERREZ), the gentleman from Pennsylvania (Mr. KANJORSKI), the gentleman from Ohio (Mr. LATOURETTE), the gentlewoman from

New York (Mrs. MCCARTHY), the gentleman from Ohio (Mr. NEY), the gentleman from Arizona (Mr. RENZI), and as I said, the main cosponsor, ranking member of the committee, the gentleman from Vermont (Mr. SANDERS).

So that, I think, illustrates not only what the gentleman from California (Mr. SHERMAN) said, that there is no opposition to this legislation, but also the strong bipartisan support that this has across this Congress.

Madam Speaker, I submit for the RECORD herewith the various documents referred to throughout my remarks:

NASCUS

[Written Testimony of George Reynolds, Senior Deputy Commissioner, Georgia Department of Banking and Finance on behalf of the National Association of State Credit Union Supervisors Before the Subcommittee on Financial Institutions and Consumer Credit, United States House of Representatives, April 13, 2005]

NASCUS HISTORY AND PURPOSE

Good afternoon, Chairman Bachus, and members of the Subcommittee. I am George Reynolds, Senior Deputy Commissioner for the Georgia Department of Banking and Finance. I appear today on behalf of the National Association of State Credit Union Supervisors (NASCUS), the professional state credit union regulators association. NASCUS represents the 48 state and territorial credit union supervisors, dedicated to defending the dual chartering system for credit unions and advised by the NASCUS Credit Union Council, which is comprised of more than 500 state-chartered credit unions.

In addition to being a state regulator, I am a certified public accountant allowing me to study and understand the accounting standards recommended by the Financial Accounting Standards Board (FASB). Today I have made recommendations on behalf of NASCUS regarding the impact of changes to the accounting standards regarding mutual institutions.

The mission of NASCUS is to enhance state credit union supervision and to advocate policies that ensure a safe and sound state credit union system. We achieve those goals by serving as an advocate for a dual chartering system that recognizes the traditional and essential role that state government plays as a part of the national system of depository financial institutions.

NASCUS applauds the introduction of H.R. 1042, the Net Worth Amendment for Credit Unions Act, which amends the definition of net worth to include the net worth of a credit union merged with a surviving credit union. We appreciate the earnings" after the merger, period. There is no room, then, for discretion and that has pros and cons.

Other federal banking regulators have authority to exclude items from measures of pre-merger equity that do not have value to the insurance fund in a liquidation scenario, e.g., core deposit intangibles, goodwill, etc., thus not "overvaluing" resulting postmerger capital. The language provided by NCUA last year was intended to provide NCUA a comparable capital (GAAP equity) starting point and comparable authority to subtract similar items from "retained earnings" in mergers.

However, concern surfaced with the earlier language that somehow NCUA might be put in the position of adding to what qualifies as "net worth" and consequently the more precise language of HR 1042 was agreed upon.

5. How is "secondary capital" accounted for in mergers currently, and will this change under HR 1042?

Post merger, secondary capital counts as part of PCA net worth only if continuing FISCUS is low income designated.

6. Is NCUA seeing an unusual rise of voluntary mergers of insured credit unions this year, in anticipation of the FASB rule being implemented for credit unions?

No

7. Does NCUA support SFAS 141?

It's fair to say that the credit union industry is not welcoming the accounting rule change from the pooling to the purchase method for financial accounting purposes. However, that is not what we are addressing or trying to influence here today or in HR 1042. NCUA and the credit union industry are trying to prepare for and adjust to the pending implementation of SFAS 141—and conform to the options provided to others by FASB to bring capital over as "acquired equity" when there are business combinations.

NCUA and the credit union industry are grateful to FASB for their consideration of mutual enterprises (thus, cooperative credit unions) by providing an exception to the rule when it was implemented in 2001 for others—this has given all of us time to explore ways to address the unexpected consequences.

Is 8. NCUA trying to interfere with FASB's accounting rulemaking authority?

Absolutely not. NCUA has nothing to do with financial accounting reporting standards and FASB will proceed as it deems appropriate. NCUA's interest is limited to supporting a solution to the unintended consequences that impact our proper safety and soundness role under the prompt corrective action provisions of the FCUA. The FCUA needs to be amended so NCUA can recognize the retained earnings of a merging credit union, and this is comparable to what Congress permits in its statutes for other financial institutions.

I would also point out that our reform proposal addresses an important technical amendment needed to the statutory definition of net worth. NCUA anticipates that the Financial Accounting Standards Board (FASB) will act soon to lift the current deferral of the acquisition method of accounting for mergers by credit unions, thereby eliminating the pooling method and requiring the acquisition method. When this change to accounting rules is implemented it will require that, in a merger, the net assets on a fair value basis of the merging credit union as a whole, rather than retained earnings, be carried over as "acquired equity," a term not recognized by the "Federal Credit Union Act" (FCUA). Without this important change, only "retained earnings" of the continuing credit union will count as net worth after a merger. This result would seriously reduce the post-merger net worth ratio of a federally insured credit union, because this ratio is the retained earnings of only the continuing credit union stated as a percentage of the combined assets of the two institutions. A lower net worth ratio has adverse implications under the statutory "prompt corrective action" (PCA) regulation. This result will discourage voluntary mergers and on occasion make NCUA assisted mergers more difficult and costly to the National Credit Union Share Insurance Fund (NCUSIF). Without a remedy, an important NCUA tool for reducing costs and managing the fund in the public interest will be lost. Thus, our reform proposal provides for a revised definition of net worth to include any amounts that were previously retained earnings of any other credit union.

PRESERVING CREDIT UNION CAPITAL IN MERGERS CURRENT LAW

Current law and FASB rules permit the recognition of the "retained earnings" of

both the surviving and merged credit union after a merger. In 2004, there were 338 mergers involving federally insured credit unions (237 voluntary, 7 assisted and another 94 mergers pending). In 2003, there were 299 mergers (294 voluntary, 5 assisted).

THE PROBLEM

The Financial Accounting Standards Board (FASB) is expected to act in 2005 to lift the current deferral (and use of the pooling method) and thereby begin the use by credit unions of the acquisition method of accounting in mergers by early 2006. This will eliminate the practice of accounting for mergers as a pooling of interests which credit unions have relied upon. When this change to accounting rules is implemented it will require, in a merger, that the retained earnings-like component of one credit union be carried over as "acquired equity," a term that is not recognized by the FCUA.

Without a change to the Federal Credit Union Act, only the "retained earnings" of the continuing credit union will count as net worth after the merger for purposes of PCA. This can seriously reduce the post-merger net worth ratio of combined federally insured credit unions. A lower net worth ratio has adverse implications under the statutory "prompt corrective action" provisions in the Federal Credit Union Act, and it is this result that will strongly discourage voluntary mergers and, on occasion, make NCUA assisted mergers more difficult and costly to the National Credit Union Share Insurance Fund (NCUSIF).

H.R. 1042 "NET WORTH AMENDMENT FOR CREDIT UNIONS ACT"

On March 2, 2005, Representative Spencer Bachus (R-AL) and Bernard Sanders (I-VT) introduced H.R. 1042, the "Net worth Amendment for Credit Unions Act." They were joined by the following original co-sponsors: Representatives Ed Royce (R-CA), Paul Kanjorski (D-PA), Steven LaTourette (R-OH), Luis Gutierrez (D-IL), Sue Kelly (R-NY), Carolyn Maloney (D-NY), Rick Renzi (R-AZ), Carolyn McCarthy (D-NY), Brad Sherman (D-CA), Bob Ney (R-OH), Tom Feeney (R-FL), Darlene Hooley (D-OR), Ginny Brown-Waite (R-FL).

WHY THIS LEGISLATION SHOULD BE ADOPTED

This amendment to the Federal Credit Union Act (FCUA) is needed to provide certainty for the recognition of pre-merger "retained earnings" for purposes of PCA as necessitated by SFAS 141.

The FASB has expressed support for a legislative solution and has indicated that a legislative redefinition of capital (net worth) in the FCUA will not affect their standards-setting activities.

When crafting the prompt corrective action provisions of the FCUA in 1998 applicable to federally insured credit unions that only recognized "retained earnings" of a single credit union as net worth, the drafters did not anticipate this merger accounting policy change by FASB.

The consequence of not making this change will dramatically alter the treatment of retained earnings and net worth in a manner that will make it difficult or impossible for many credit unions to consider combining their strengths through merger. This seriously reduces the post-merger net worth ratio, because that ratio is the retained earnings stated as a percentage of the combined assets of the institutions. Potential acquiring credit unions would naturally find the prospect of being demoted to a lower net worth category, and potentially subject to more supervisory actions, too high a price to pay to merge with another credit union.

Failure to make this change will undermine the purpose of "prompt corrective action" which is to resolve the problems of

credit unions while minimizing losses to the National Credit Union Administration Share Insurance Fund (NCUSIF). Fewer willing merger partners mean fewer opportunities to avert losses to the NCUSIF by merging a troubled credit union. Credit union mergers have traditionally been effective in accomplishing both objectives while preserving the continuity of credit union service to the target credit union's members.

Banks and their insurers do not have the same concerns because their existing capital definition under relevant law is broader. The FASB rule, in combination with their broader statutory definition of capital, would not result in similar problems for banks and thrifts because they are allowed to include virtually all components of "equity" in their capital.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. GINNY BROWN-WAITE). The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 1042.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 14 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GILCHREST) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8, rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 643, by the yeas and nays.

H.R. 2326, by the yeas and nays.

This will be a 15-minute vote followed by a 15-minute vote.

AMENDING AGRICULTURAL CREDIT ACT TO REAUTHORIZE STATE MEDIATION PROGRAMS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 643.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the Senate bill, S. 643, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 371, nays 2, not voting 60, as follows:

[Roll No. 241]

YEAS—371

Abercrombie	Davis, Tom	Jefferson
Ackerman	Deal (GA)	Jindal
Aderholt	DeFazio	Johnson (CT)
Akin	DeGette	Johnson (IL)
Alexander	DeLauro	Johnson, E. B.
Allen	DeLay	Johnson, Sam
Andrews	Dent	Jones (NC)
Baca	Diaz-Balart, L.	Jones (OH)
Bachus	Diaz-Balart, M.	Kanjorski
Baird	Dicks	Kaptur
Baldwin	Doggett	Kelly
Barrett (SC)	Doolittle	Kennedy (MN)
Barrow	Doyle	Kildee
Bartlett (MD)	Drake	Kind
Barton (TX)	Dreier	King (IA)
Bass	Duncan	King (NY)
Bean	Edwards	Kingston
Beauprez	Emanuel	Kirk
Becerra	Emerson	Kline
Berman	Engel	Kolbe
Berry	English (PA)	Kucinich
Biggert	Eshoo	Kuhl (NY)
Bilirakis	Etheridge	Langevin
Bishop (GA)	Evans	Lantos
Bishop (NY)	Everett	Larson (CT)
Bishop (UT)	Farr	Latham
Blackburn	Feeney	LaTourette
Blumenauer	Ferguson	Leach
Blunt	Filner	Levin
Boehlert	Fitzpatrick (PA)	Lewis (CA)
Boehner	Foley	Lewis (KY)
Bonilla	Forbes	Linder
Bonner	Ford	Lipinski
Bono	Fortenberry	LoBiondo
Boozman	Fox	Lofgren, Zoe
Boren	Frank (MA)	Lowe
Boucher	Franks (AZ)	Lucas
Boustany	Frelinghuysen	Lungren, Daniel
Boyd	Galleghy	E.
Bradley (NH)	Garrett (NJ)	Lynch
Brady (PA)	Gerlach	Mack
Brady (TX)	Gibbons	Maloney
Brown (OH)	Gilchrest	Manzullo
Brown (SC)	Gillmor	Marchant
Brown, Corrine	Gingrey	Markey
Brown-Waite,	Gohmert	Marshall
Ginny	Gonzalez	Matheson
Burgess	Goode	Matsui
Burton (IN)	Goodlatte	McCarthy
Butterfield	Gordon	McCaul (TX)
Calvert	Granger	McCollum (MN)
Camp	Graves	McCotter
Cannon	Green, Al	McCrery
Cantor	Green, Gene	McDermott
Capps	Grijalva	McGovern
Capuano	Gutknecht	McHenry
Cardin	Hall	McHugh
Carnahan	Harman	McIntyre
Carson	Harris	McKeon
Carter	Hart	McKinney
Castle	Hastings (FL)	McMorris
Chabot	Hastings (WA)	McNulty
Chandler	Hayes	Meehan
Chocola	Hayworth	Meeks (NY)
Clay	Hefley	Melancon
Cleaver	Hensarling	Menendez
Coble	Herger	Mica
Cole (OK)	Herseth	Michaud
Conaway	Higgins	Millender-
Conyers	Hinche	McDonald
Costa	Hobson	Miller (FL)
Costello	Hoekstra	Miller (MI)
Cox	Holden	Miller (NC)
Cramer	Holt	Miller, Gary
Crenshaw	Honda	Miller, George
Cubin	Hooley	Mollohan
Cuellar	Hostettler	Moore (KS)
Culberson	Hunter	Moran (KS)
Cummings	Hyde	Moran (VA)
Cunningham	Inglis (SC)	Murphy
Davis (AL)	Inslee	Musgrave
Davis (CA)	Israel	Myrick
Davis (IL)	Issa	Napolitano
Davis (KY)	Jackson (IL)	Neugebauer
Davis (TN)	Jackson-Lee	Ney
Davis, Jo Ann	(TX)	Northup

Norwood	Roybal-Allard	Taylor (NC)
Nunes	Royce	Terry
Nussle	Ruppersberger	Thomas
Obey	Ryan (OH)	Thompson (CA)
Olver	Ryan (WI)	Thompson (MS)
Ortiz	Ryun (KS)	Thornberry
Osborne	Sabo	Tiahrt
Otter	Salazar	Tiberi
Pallone	Sanders	Tierney
Pastor	Saxton	Turner
Pearce	Schakowsky	Udall (NM)
Pelosi	Schiff	Upton
Pence	Schwartz (PA)	Van Hollen
Peterson (MN)	Schwarz (MI)	Velázquez
Petri	Scott (GA)	Visclosky
Pickering	Scott (VA)	Walden (OR)
Pitts	Sensenbrenner	Walsh
Platts	Serrano	Wamp
Poe	Shade	Wasserman
Pombo	Shaw	Schultz
Pomeroy	Sherman	Watson
Porter	Sherwood	Watt
Price (GA)	Shuster	Waxman
Price (NC)	Simpson	Weiner
Pryce (OH)	Skelton	Weldon (FL)
Putnam	Slaughter	Weldon (PA)
Rahall	Smith (NJ)	Weller
Ramstad	Smith (TX)	Westmoreland
Rangel	Smith (WA)	Wexler
Regula	Snyder	Whitfield
Rehberg	Sodrel	Wicker
Reichert	Solis	Wilson (NM)
Renzi	Souder	Wilson (SC)
Reyes	Spratt	Wolf
Reynolds	Stearns	Woolsey
Rogers (AL)	Stupak	Wu
Rogers (KY)	Tancredo	Wynn
Rogers (MI)	Tanner	Young (AK)
Rohrabacher	Tauscher	
Ross	Taylor (MS)	

NAYS—2

Flake

Paul

NOT VOTING—60

Baker	Istook	Radanovich
Berkley	Jenkins	Ros-Lehtinen
Boswell	Keller	Rothman
Buyer	Kennedy (RI)	Rush
Capito	Kilpatrick (MI)	Sánchez, Linda
Cardoza	Knollenberg	T.
Case	LaHood	Sanchez, Loretta
Clyburn	Larsen (WA)	Sessions
Cooper	Lee	Shays
Crowley	Lewis (GA)	Shimkus
Davis (FL)	Meek (FL)	Simmons
Delahunt	Moore (WI)	Stark
Dingell	Murtha	Strickland
Ehlers	Nadler	Sullivan
Fattah	Neal (MA)	Sweeney
Fossella	Oberstar	Towns
Green (WI)	Owens	Udall (CO)
Gutierrez	Oxley	Waters
Hinojosa	Pascarell	Young (FL)
Hoyer	Payne	
Hulshof	Peterson (PA)	

□ 1854

Mr. WATT changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FLOYD LUPTON POST OFFICE

The SPEAKER pro tempore (Mr. GILCHREST). The pending business is the question of suspending the rules and passing the bill, H.R. 2326.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 2326, on which the yeas and nays are ordered.